

OFFICIAL GAZETTE

GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN AND DIU

Department of Personnel and Administrative Reforms

Notification

3/1/78-PER-A

In exercise of the powers conferred by the proviso to Article 309 of the Constitution read with the Government of India, Ministry of Home Affairs Notification No. F.1/29/68-GP dated 29-6-1968 and all other powers enabling him in this behalf, the Administrator of Goa, Daman and Diu hereby makes the following rules amending the Goa, Daman and Diu Police Service Rules, 1973, namely:—

1. *Short title and commencement.*—(1) These Rules may be called the Goa, Daman and Diu Police (First Amendment) Rules, 1982.

(2) They shall come into force at once.

2. *Amendment of Rules 31.*—Sub-Rule (1) of Rule 31 of the Goa, Daman and Diu Police Service Rules, 1978 may be substituted by the following:—

“(1) Appointment of the members of the service to the Selection Grade shall be made in consultation with the Commission on the basis of seniority subject to the fitness”.

By order and in the name of the Administrator of Goa, Daman and Diu.

G. H. Mascarenhas, Under Secretary (Personnel).

Panaji, 16th December, 1982.

Notification

3/1/78-PER

In exercise of the powers conferred by the proviso to Article 309 of the Constitution read with the Government of India, Ministry of Home Affairs Notification No. F.1/29/68-GP dated the 29th June, 1968, and all other powers enabling him in this behalf, the Administrator of Goa, Daman and Diu hereby makes the following rules amending the Goa, Daman and Diu Civil Service Rules, 1967 namely:—

1. *Short title and commencement.*—(1) These Rules may be called the Goa, Daman and Diu Civil Service (First Amendment) Rules, 1982.

(2) They shall come into force at once.

2. *Amendment of Rule 30.*—Sub-Rule (1) of Rule 30 of the Goa, Daman and Diu Civil Service Rules, 1967 shall be substituted by the following:—

“(1) Appointment of the members of the service to the Selection Grade shall be made in consultation with the Commission on the basis of seniority subject to the fitness”.

By order and in the name of the Administrator of Goa, Daman and Diu.

G. H. Mascarenhas, Under Secretary (Personnel).

Panaji, 16th December, 1982.

Industries and Labour Department

Notification

24/9/80-ILD

The Government of Goa, Daman and Diu hereby amends the Terms of Service for Insurance Medical Practitioners framed under proviso to sub-section (1) of section 58 of the Employees State Insurance Act, 1948 (34 of 1948) (hereinafter referred to as the said “Terms of Service”), as follows, namely:—

Amendment of clause 21:—In clause 21 of the said Terms of Service for the word “quarter” wherever it occurs the words “four months’ period” shall be substituted.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

S. D. Sadhale, Under Secretary (Industries and Labour).

Panaji, 14th December, 1982.

Law Department (Legal Advice)

Drafting Section

Notification

10-12-82/LGL (D)

The Payment of Wages (Amendment) Act, 1982, which has been passed by the Parliament and assented to by the President of India on the 18th August, 1982 and published in the Gazette of India, Extra-

ordinary, Part II, Section I dated 19th August, 1982 is hereby republished for the general information of the public.

B. S. Subbanna, Under Secretary (Drafting).

Panaji, 10th December, 1982.

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

New Delhi, the 19th August, 1982

Sravana 28, 1904 (Saka)

The following Act of Parliament received the assent of the President on the 18th August, 1982, and is hereby published for general information:—

The Payment of Wages (Amendment) Act, 1982

No. 38 of 1982

[18th August, 1982.]

An Act further to amend the Payment of Wages Act, 1936.

Be it enacted by Parliament in the Thirty-third Year of the Republic of India as follows:—

1. **Short title and commencement.**—(1) This Act may be called the Payment of Wages (Amendment) Act, 1982.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. **Amendment of long title and preamble.**—In the Payment of Wages Act, 1936 (hereinafter referred to as the principal Act), in the long title and in the preamble, for the words “persons employed in industry”, the words “employed persons” shall be substituted. 4 of 1936,

3. **Amendment of section 1.**—In section 1 of the principal Act,—

(a) in sub-section (4),—

(i) for the words “factory and to persons”, the words “factory, to persons” shall be substituted;

(ii) after the words “contract with a railway administration”, the words, brackets, letters and figures “, and to persons employed in an industrial or other establishment specified in sub-clause (a) to (g) of clause (ii) of section 2” shall be inserted;

(b) in sub-section (5),—

(i) for the words “any industrial establishment or in any class or group of industrial establishments”, the words, brackets, letter and figures “any establishment or class of establishments specified by the Central Government or a State Government under sub-clause

(h) of clause (ii) of section 2” shall be substituted;

(ii) for the proviso, the following proviso shall be substituted, namely:—

“Provided that in relation to any such establishment owned by the Central Government, no such notification shall be issued except with the concurrence of that Government.”;

(c) in sub-section (6), for the words “one thousand rupees”, the words “one thousand six hundred rupees” shall be substituted.

4. **Amendment of section 2.**—In section 2 of the principal Act, in clause (ii),—

(a) in the opening portion, for the words ““industrial establishment” means”, the words ““industrial or other establishment” means” shall be substituted;

(b) after sub-clause (g), the following sub-clause shall be inserted, namely:—

“(h) any other establishment or class of establishments which the Central Government or a State Government may, having regard to the nature thereof, the need for protection of persons employed therein and other relevant circumstances, specify, by notification in the Official Gazette.”.

5. **Amendment of section 3.**—In section 3 of the principal Act, in the proviso, for clause (b), the following clause shall be substituted, namely:—

“(b) in industrial or other establishments, if there is a person responsible to the employer for the supervision and control of the industrial or other establishments;”.

6. **Amendment of section 5.**—In section 5 of the principal Act, in clauses (a) and (b) of sub-section (1), for the words “industrial establishment”, the words “industrial or other establishment” shall be substituted.

7. **Amendment of section 7.**—In section 7 of the principal Act, in sub-section (2), after clause (k), the following clauses shall be inserted, namely:—

“(kk) deductions made, with the written authorisation of the employed person, for the payment of his contribution to any fund constituted by the employer or a trade union registered under the Trade Unions Act, 1926 for the welfare of the employed persons or the members of their families, or both, and approved by the State Government or any officer specified by it in this behalf, during the continuance of such approval; 16 of 1926.

“(kkk) deductions made, with the written authorisation of the employed person, for payment of the fees payable by him for the membership of any trade union registered under the Trade Unions Act, 1926;” 16 of 1926.

8. Amendment of section 8. — In section 8 of the principal Act, —

(a) in sub-section (4), for the words "half-anna in the rupee", the words "three per cent." shall be substituted;

(b) in the *Explanation*, for the words "industrial establishment", the words "industrial or other establishment" shall be substituted.

9. Amendment of section 14. — In section 14 of the principal Act, —

(a) in sub-section (3), for the words "industrial establishments", the words "industrial or other establishments" shall be substituted;

(b) in sub-section (4), in clauses (b) and (c), for the words "industrial establishment", the words "industrial or other establishment" shall be substituted;

(c) in sub-section (4A), —

(i) for the words and figures "Code of Criminal Procedure, 1898", 5 of 1898.
the words and figures "Code of Criminal Procedure, 1973" shall be substituted; 2 of 1974.

(ii) for the word and figures "section 98", the word and figures "section 94" shall be substituted.

10. Amendment of section 18. — In section 18 of the principal Act, for the words and figures "Chapter XXXV of the Code of Criminal Procedure, 1898", 5 of 1898.
the words and figures "Chapter XXVI of the Code of Criminal Procedure, 1973" shall be substituted. 2 of 1974.

11. Amendment of section 20. — In section 20 of the principal Act, —

(a) in sub-section (1), for the words "which may extend to five hundred rupees", the words "which shall not be less than two hundred rupees but which may extend to one thousand rupees" shall be substituted;

(b) in sub-section (2), for the words "two hundred rupees", the words "five hundred rupees" shall be substituted;

(c) in sub-section (3), for the words "which may extend to five hundred rupees", the words "which shall not be less than two hundred rupees but which may extend to one thousand rupees" shall be substituted;

(d) in sub-section (4), —

(i) in clause (b), for the words "industrial establishment", the words "industrial or other establishment" shall be substituted;

(ii) for the words "which may extend to five hundred rupees", occurring at the end, the words "which shall not be less than two hundred rupees but which may extend to one thousand rupees" shall be substituted;

(e) in sub-section (5), for the words "which may extend to three months, or with fine which may extend to one thousand rupees, or with both",

the words "which shall not be less than one month but which may extend to six months and with fine which shall not be less than five hundred rupees but which may extend to three thousand rupees" shall be substituted;

(f) in sub-section (6), for the words "fifty rupees", the words "one hundred rupees" shall be substituted.

12. Amendment of section 25. — In section 25 of the principal Act, —

(a) for the words "employed in a factory", the words "employed in a factory or an industrial or other establishment" shall be substituted;

(b) for the words "displayed in such factory", the words "displayed in such factory or industrial or other establishment" shall be substituted;

(c) for the words "in the factory", the words "in the factory or industrial or other establishment" shall be substituted.

13. Insertion of new section 25A. — After section 25 of the principal Act, the following section shall be inserted, namely: —

"25A. Payment of undisbursed wages in cases of death of employed person. — (1) Subject to the other provisions of the Act, all amounts payable to an employed person as wages shall, if such amounts could not or cannot be paid on account of his death before payment or on account of his whereabouts not being known, —

(a) be paid to the person nominated by him in this behalf in accordance with the rules made under this Act; or

(b) where no such nomination has been made or where for any reasons such amounts cannot be paid to the person so nominated, be deposited with the prescribed authority who shall deal with the amounts so deposited in such manner as may be prescribed.

(2) Where, in accordance with the provisions of sub-section (1), all amounts payable to an employed person as wages —

(a) are paid by the employer to the person nominated by the employed person; or

(b) are deposited by the employer with the prescribed authority,

the employer shall be discharged of his liability to pay those wages."

14. Amendment of section 26. — In section 26 of the principal Act, —

(a) in sub-section (3), —

(i) in clause (1), the word "and", occurring at the end, shall be omitted;

(ii) after clause (1), the following clauses shall be inserted, namely: —

"(1a) prescribe the form and manner in which nominations may be made for the purposes of sub-section (1) of section 25A, the cancellation or variation of any such nomination, or the making of any fresh no-

mination in the the event of the nominee predeceasing the person making nomination, and other matters connected with such nominations:

(1b) specify the authority with whom amounts required to be deposited under clause (b) of sub-section (1) of section 25A shall be deposited, and the manner in which such authority shall deal with the amounts deposited with it under that clause;"

(b) in sub-section (6), —

(i) for the words "two successive sessions", the words "two or more successive sessions" shall be substituted;

(ii) for the words "in which it is so laid or the session immediately following", the words "immediately following the session or the successive sessions aforesaid" shall be substituted.

R. V. S. PERI SASTRI,
Secy. to the Govt. of India.

Law Department (Establishment)

Office of the Chief Electoral Officer

Notification

3-4-79/ELEC-Vol.-I

The following Notification No. 56/82-VI dated 1st December, 1982 issued by the Election Commission of India, New Delhi is hereby published for general information.

U. D. Sharma, Addl. Chief Electoral Officer.

Panaji, 14th December, 1982.

Election Commission of India

New Delhi, Dated the 1st December, 1982

Agrahayana 10, 1904(S)

Notification

S.O. — Whereas the Election Commission of India is satisfied on the basis of provisional information available in its possession in respect of the general election to the Legislative Assembly of Haryana State held in May 1982 that as a result of its poll performance at the said general election, the Indian Congress(J) is entitled for recognition as a State Party in the State of Haryana in terms of paragraph 6 of the Election Symbols (Reservation and Allotment) Order, 1968;

And Whereas the Commission has decided to recognise the Indian Congress(J), as a State Party in the State of Haryana on *ad-hoc* basis, and reserve 'Scales' for the said Party in Haryana State;

Now, therefore, in pursuance of clause (b) and clause (c) of sub-paragraph (1) and Sub-paragraph (2) of paragraph 17 of the said Symbols Order, the Election Commission hereby makes the following amendments in its notification No. 56/82, dated the 8th April, 1982, published as O.N. 29(E) in the Gazette of India, Extraordinary, Part II, Section 3(iii) dated the 12th April 1982, as amended from time to time, namely: —

(1) IN TABLE 2 of the said notification, in columns 1, 2 and 3, after the entries relating to the State of Assam, the entries "Haryana ... Indian Congress (J) ... Scales" shall be inserted; and

(2) IN TABLE 4 of the said notification, against the State of 5. Haryana, under column 2, the entry "16. Scales" shall be deleted and the existing entries 17 to 20 shall be renumbered as 16 to 19.

The recognition granted to the above-mentioned political party and consequential amendments to the notification dated 8th April, 1982 are subject to review of the poll performance of that party on receipt of final figures in respect of general election to the Legislative Assembly of Haryana State.

The recognition granted above is also subject to the following conditions: —

(i) The party shall communicate to the Commission without delay any change in its name, head office, office bearers, address or political principles, policies, aims and objectives and any change in any other material matters;

(ii) The party shall intimate the Commission immediately whenever any amendments are issued to party Constitution along with the relevant documents like the notice for the meeting to consider amendments, agenda for the meeting, minutes of the meeting where the amendments have been carried etc;

(iii) The party shall maintain all the records like minutes books, accounts books, membership registers, receipt books etc. properly;

(iv) The said records shall be open for inspection at any time by the authorised representative(s) of the Commission; and

(v) The recognition granted shall be reviewed by the Commission from time to time.

[56/82-VI]

By Order,

K. GANESAN
Secretary